

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

CLINTON BASS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:08-CV-19 (JCH)
)	
AUDRAIN COUNTY SHERIFF, et al.,)	
)	
Defendants.)	

ORDER

The matter is before the Court on Plaintiff's Motion for Appointment of Counsel, filed May 9, 2008. (Doc. No. 8). Plaintiff filed this civil rights action on April 2, 2008 alleging that he was assaulted by a police officer. (Doc. No. 1).

There is no constitutional or statutory right to appointed counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, courts consider factors that include whether the petitioner has presented non-frivolous allegations supporting his prayer for relief, whether the petitioner will substantially benefit from the appointment of counsel, whether there is a need to further investigate and present the facts related to the petitioner's allegations, and whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering Plaintiff's motion in view of the relevant factors, the Court finds that the factual and legal issues presented in the instant case are not so complex as to warrant the appointment

of counsel at this time. In addition, the pleadings, and subsequent motions, filed by Plaintiff indicate that he is capable of presenting the factual and legal issues without the assistance of counsel.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Appointment of Counsel (Doc. No. 8) is **DENIED**.

Dated this 15th day of May, 2008.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE